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6 Attorney for Reynaldo Stocker

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 REYNALDO STOCKER,

14 Defendant.
15
16

Case No. 2:20-cr-00287-JAD-BNW

**UNOPPOSED MOTION TO
WITHDRAW WITHOUT
PREJUDICE THE MOTION TO
COMPEL THE GOVERNMENT TO
PRODUCE DISCOVERY
PERTAINING TO A SELECTIVE
ENFORCEMENT CLAIM (ECF NO.
39) & VACATE MOTION HEARING
(ECF NO. 40)**

17 COMES NOW the defendant, Reynaldo Stocker, by and through his counsel of record,
18 Nisha Brooks-Whittington, Assistant Federal Public Defender, who files this Motion to
19 Withdraw the Motion to Compel the Government to Produce Discovery Pertaining to a
20 Selective Enforcement Claim and Vacate the Motion Hearing. This motion is based upon the
21 attached Memorandum of Points and Authorities and the papers and pleadings on file herein.
22

23 DATED this 19th day of October, 2021.

24 By /s/ Nisha Brooks-Whittington
25 NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender
26 Attorney for Marcus Mattingly

MEMORANDUM OF POINTS AND AUTHORITIES

On September 7, 2021, Mr. Stocker filed a Motion to Compel the government to produce discovery pertaining to a selective enforcement claim. ECF No. 39. The government filed its response on October 5, 2021. ECF No. 45. A motion hearing is scheduled for October 26, 2021. ECF No. 40. The parties have recently negotiated the case rendering the motion and hearing unnecessary. Mr. Stocker, through undersigned counsel, hereby respectfully requests this Court withdraw without prejudice his Motion to Compel and vacate the motion hearing.¹

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ Nisha Brooks-Whittington

NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender
Attorney for Reynaldo Stocker

Order

IT IS SO ORDERED

DATED: 9:00 am, October 20, 2021



**BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE**

¹ Undersigned counsel contacted the assigned AUSA and she does not oppose this motion.

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that he is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on October 19, 2021, he served an electronic copy of the above and foregoing **UNOPPOSED MOTION TO WITHDRAW WITHOUT PREJUDICE THE MOTION TO COMPEL THE GOVERNMENT TO PRODUCE DISCOVERY PERTAINING TO A SELECTIVE ENFORCEMENT CLAIM (ECF NO. 39) & VACATE MOTION HEARING (ECF NO. 40)** by electronic service (ECF) to the person named below:

CHRISTPHER CHIOU
Acting United States Attorney
MINA CHANG
Assistant United States Attorney
501 Las Vegas BLVD., South
Suite 1100
Las Vegas, NV 89101

/s/ Marcus Walker
Employee of the Federal Public Defender